

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 7

BMT DESIGNERS & PLANNERS, INC.,
fdba BMT D&P, fdba BMT fdba BMT DAS US,

Case No. 22-10123 (MG)

Debtor.

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**ORDER, PURSUANT TO 11 U.S.C. § 365, AUTHORIZING THE CHAPTER 7
TRUSTEE TO ASSUME THE EXECUTORY CONTRACT BY AND BETWEEN
THE DEBTOR AND JAMES FISHER MIMIC LTD (FORMERLY JAMES
FISHER MARINE SERVICES) AND TO ASSIGN THE EXECUTORY
CONTRACT TO VIGOR WORKS LLC AND FOR RELATED RELIEF**

Upon the motion (“Motion”) [dkt. no. 143]¹ of Salvatore LaMonica, solely in his capacity as the Chapter 7 Trustee (“Trustee”) of the bankruptcy estate (“Estate”) of BMT Designers & Planners, Inc., fdba BMT D&P, fdba BMT fdba BMT DAS US (“Debtor”), by and through his counsel, LaMonica Herbst & Maniscalco, LLP, seeking the entry of an Order, pursuant to Bankruptcy Code section 365(a), authorizing the Trustee to assume and to assign this executory contract with James Fisher Mimic Ltd (formerly James Fisher Marine Services) and to assign this executory contract to Vigor Works LLC and for related relief; and the Motion having been served on all necessary parties with an affidavit of service having been electronically filed with the Court [dkt. no. 144]; and upon no objections to the relief requested in the Motion having been filed; and the Motion and Order having been presented to the Honorable Martin Glenn, United States Bankruptcy Chief Judge, United States Bankruptcy Court, Southern District of New York, Courtroom 617, One Bowling Green, New York, New York 10004 (“Court”) on **December 1, 2022 at 10:00 a.m.** (“Hearing”); and upon the Court having jurisdiction to consider the Motion

¹ Capitalized terms not otherwise defined herein shall have the definition ascribed to them in the Motion.

and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found and determined that the relief sought in the Motion is in the best interest of the Estate, its creditors and all parties in interest and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefore, it is hereby

ORDERED, that the executory contract with James Fisher Mimic Ltd (formerly James Fisher Marine Services), annexed hereto, is approved; and, it is further

ORDERED, that the Trustee is authorized to do such things, take such steps and perform such acts as may be reasonably necessary to implement and effectuate the terms of this Order; and, it is further

ORDERED, that this Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Dated: December __, 2022
New York, New York

Honorable Martin Glenn
Chief United States Bankruptcy Judge